

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ROGER TANNER,)	
)	
Plaintiff)	
)	No. 3:13-0042
v.)	Judge Campbell/Brown
)	Jury Demand
DONALD OGDEN and WILLIAM MURRAY,)	
)	
Defendants)	

O R D E R

This case was set for a case management conference on March 4, 2013, at 10:30 a.m. At the appointed hour no one appeared and calls to Plaintiff's counsel's office indicated that he was unavailable.

The notice of setting of the initial case management conference is crystal clear that failure to submit the proposed case management order without contacting the Magistrate Judge's office can result in sanctions.

In this case it does not appear that the two named Defendants, Donald Ogden and William Murray, have been served. Rather, two insurance companies have been served: Hastings Mutual Insurance Company (HMIC) and Permanent General Assurance Corporation of Ohio (PGACO). Mr. Richardson, attorney for PGACO, was contacted by telephone and advised that he was not provided a copy of the notice of setting of the case management conference and that he had advised Plaintiff's counsel that there was no coverage in this matter. Although it appears that HMIC was served on

February 4, 2013, no notice of appearance by any attorney has been made by them.

Plaintiff's counsel is assessed a sanction of \$100 for failure to obey the notice setting the case management conference and is directed to show cause within **14 days** of the entry of this order why the Magistrate Judge should not recommend dismissal of this case for failure to obey court orders and failure to prosecute.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge